

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>QUOC PHAM,</b>	:	<b>CIVIL ACTION NO. 1:11-CV-0444</b>
	:	
<b>Petitioner</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>ATTORNEY GENERAL OF THE</b>	:	
<b>UNITED STATES, et al.,</b>	:	
	:	
<b>Respondents</b>	:	

**ORDER**

AND NOW, this 28th day of March, 2011, upon consideration of the petition for writ of habeas corpus (Doc. 1, at 1), in which petitioner, a native of and citizen of Vietnam in the custody of the Bureau of Immigration and Customs Enforcement ("ICE"), seeks release from indefinite detention in accordance with Zadvydas v. Davis, 533 U.S. 678 (2001), while awaiting removal to Vietnam pursuant to a final order of removal dated June 24, 2010 (Doc. 1-1, at 5), and it appearing that he submitted a written request for a custody review to the Headquarters of the Post-Order Detention Unit in Washington D.C. on January 27, 2011 (Id. at 8-9), and it further appearing that because this request is still pending his application for relief before this court is premature, it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) is DISMISSED without prejudice to petitioner's right to re-file the petition if he receives an unfavorable decision.

2. The motion to proceed in forma pauperis (Doc. 2) is GRANTED.
3. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge